



**TOWN OF TEWKSBURY
CONSERVATION COMMISSION
999 Whipple Road
Tewksbury, MA 01876**

Stephen Deackoff, Chairman
Anthony Ippolito, Vice-Chair
Sean Czarniecki, Clerk
Dennis Sheehan
Carolina Linder

**Meeting Minutes
December 18, 2013**

The meeting was called to order at 7:00 PM at the temporary location of the Tewksbury Town Hall, 1009 Main Street, by Stephen Deackoff, Chairman. Present at the meeting were Anthony Ippolito, Vice Chairman, Sean Czarniecki, Dennis Sheehan, and Carolina Linder. Also in attendance were Kyle Boyd, Conservation Agent, and Melissa Johnson, Recording Secretary.

Approval of Meeting Minutes – December 4, 2013

Mr. Czarniecki noted a change on page 5 of the December 4, 2013 meeting minutes. Ms. Linder also noted changes to the December 4, 2013 meeting minutes and it was suggested the minutes be tabled to address these items.

MOTION: Mr. Czarniecki made the motion to table the approval of the December 4, 2013 meeting minutes; seconded by Mr. Ippolito and the motion carried 5-0.

A) (Continued) Abbreviated Notice of Resource Area Delineation, 379 & 357 Pleasant Street, Marc P. Ginsburg and Sons, Inc., Map 32, Lots 36 & 37, DEP #305-961

Mr. Deackoff noted that the applicant has requested a continuance of this matter.

MOTION: Mr. Czarniecki made the motion to continue Abbreviated Notice of Resource Area Delineation, 379 & 357 Pleasant Street, Marc P. Ginsburg and Sons, Inc., Map 32, Lots 36 & 37, DEP #305 961 to January 8, 2014 at 7:02 p.m.; seconded by Mr. Ippolito and the motion carried 5-0.

B) (Continued) Notice of Intent, Carnation Drive, Tewksbury Housing Development Authority, Map 47, Lot 66, DEP #305-960

Mr. Deackoff noted that the applicant has requested a continuance of this matter.

MOTION: Mr. Czarniecki made the motion to continue Notice of Intent, Carnation Drive, Tewksbury Housing Development Authority, Map 47, Lot 66, DEP #305 961 to January 8, 2014 at 7:05 p.m.; seconded by Ms. Linder and the motion carried 5-0.

C) (Continued) Certificate of Compliance, 825 South Street, Daniel Dandreo, Map 98, Lot 118, DEP #305-945

Mr. Deackoff suggested tabling this item to the end of the meeting as the applicant was not present.

MOTION: Mr. Czarniecki made the motion to table Certificate of Compliance, 825 South Street, Daniel Dandreo, Map 98, Lot 118, DEP #305 961 to the end of tonight's meeting; seconded by Mr. Ippolito and the motion carried 5-0.

D) Amended Order of Conditions, 150 Main Street, Atamian Realty Trust, Map 11, Lot 13, DEP #305-879

Present was Steven Erickson of Norse Environmental Services and Mr. Doug Lees. Mr. Erickson provided the members with a copy of a plan of the site and noted that the site has been approved for the demolition of an existing building and eventual reconstruction of a new building. The applicant would still like to construct the new building in the future and are requesting to amend the order of conditions to raze the existing structure and pave the area to use it for parking until they are ready for construction of the new building. Mr. Erickson noted that there will not be an increase in the impervious area as it is currently paved and explained that the grading will be changed a little along the existing wall and a storm sceptor will be added in order to clean the storm water runoff properly. The existing wall will be extended for drainage purposes.

Mr. Czarniecki noted that it was difficult to visit the site as there was snow on the ground and asked if there is currently any curbing along the wall area. Mr. Doug Lees explained that there is curbing at the new pavement, but none in this particular area. Mr. Czarniecki noted that his main concern is the further encroachments into the 25 foot no disturb area as he would prefer to see the current edge of pavement be the edge of work. Mr. Czarniecki asked if there is a bond in place for the site and it was Mr. Erickson's belief that there is. Mr. Czarniecki noted that historically there has been a notice of violation for snow storage in this location and it is still occurring. Mr. Erickson will address this with the applicant and suggested signs stating no snow storage be installed.

Ms. Linder also expressed concerns with further encroachment into the 25 foot no disturb and asked if there is any way the wall can be moved outside the 25 foot buffer. Mr. Doug Lees explained that there would no longer be access around or into the new building if the wall is moved in. Mr. Erickson noted that the wall is the extension of the existing wall. Mr. Czarniecki noted he would like to see a condition put in place that no further encroachment shall occur.

Mr. Deackoff asked when this area was originally paved and Mr. Erickson noted that the area has been paved for quite a long time. Mr. Deackoff requested a copy of the original plan and Mr. Doug Lees provided this. Mr. Erickson noted that the storm scepter will significantly improve the situation by cleaning the water more. Mr. Doug Lees noted that the current drainage system is insufficient and provides no storm water management; there will now be treatment, but no recharge.

Mr. Boyd asked what the purpose of the wall is. Mr. Doug Lees explained that the existing building that is to be razed currently serves as part of the wall.

Mr. Ippolito noted that there is an approximate 4 foot elevation difference from the right edge of the building to the existing stairs and he feels that once the grade is brought up there should not be any issue with the wetlands as the catch basins will be sufficient to catch any excess water. Mr. Ippolito does not see any issues with the proposal as presented.

Discussion took place on the snow storage area. Mr. Deackoff noted that the snow storage will likely be made part of the conditions.

Mr. Deackoff opened the hearing to the public and no one came forward to comment.

MOTION: Mr. Ippolito made the motion to close the public hearing; seconded by Ms. Linder and the motion carried 5-0.

MOTION: Mr. Czarniecki made the motion to approve Amended Order of Conditions, 150 Main Street, Atamian Realty Trust, Map 11, Lot 13, DEP #305-879; all conditions contained in the original order shall continue, reference shall be made to the plan dated November 25, 2013, proper signage in the “no snow” storage area shall be installed, no further disturbance beyond the edge of the existing pavement shall occur; seconded by Mr. Ippolito and the motion carried 5-0.

E) (Continued) Certificate of Compliance, 825 South Street, Daniel Dandreo, Map 98, Lot 118, DEP #305-961

MOTION: Mr. Czarniecki made the motion to remove Certificate of Compliance, 825 South Street, Daniel Dandreo, Map 98, Lot 118, DEP #305 961 from the table; seconded by Mr. Ippolito and the motion carried 5-0.

Mr. Deackoff noted that the applicant is still not present and suggested continuing this matter. Mr. Deackoff requested Mr. Boyd contact the applicant as this is the second time they have not appeared. Mr. Boyd noted that he did speak with the applicant prior to tonight's meeting and he will follow up.

MOTION: Mr. Czarniecki made the motion to continue Certificate of Compliance, 825 South Street, Daniel Dandreo, Map 98, Lot 118, DEP #305 94five to January 8, 2014 at 7:08 p.m.; seconded by Mr. Ippolito and the motion carried 5-0.

New Business

Mr. Czarniecki noted that the Bylaw Subcommittee voted to approve the changes that reorganized the wetland protection regulations and suggested the Commission act on this matter as well.

MOTION: Mr. Czarniecki made the motion to approve the changes to reorganize the wetland protection regulations; seconded by Ms. Linder and the motion carried 5-0.

Mr. Ippolito requested a copy of the 2014 meeting schedule be provided to the members. Mr. Boyd will provide this.

Old Business

There was no old business.

Administrator's Report

There was no administrator's report.

Adjournment

MOTION: Mr. Ippolito made the motion to adjourn; seconded by Ms. Linder and the motion unanimously carried 5-0.

Respectfully submitted,

Approved: 1/8/14